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August 24, 2005

By ECF and Federal Express

Hon. Rya W. Zobel
United States District Court
District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: *Charles Tuzzo v. United States of America*
No. 05-11145-RWZ

Your Honor:

Mr. Tuzzo is scheduled to be released to a half-way house on October 5th of this year. In anticipation of the hearing, Mr. Tuzzo's medical records have been reviewed by the appropriate specialists in New York. They have advised me that, based on their review of the records, Mr. Tuzzo's condition is stable, but that he requires immediate follow-up as soon as he is released to the half-way house next month.

In light of the above information, I am respectfully requesting permission to withdraw the within petition without prejudice. The withdrawal of the petition is made solely in reliance on Mr. Tuzzo's projected release date of October 5, 2005 so that he can seek appropriate medical attention for his eyes with his treating specialists. In the event that the release date changes and Mr. Tuzzo is not released on October 5, 2005 as planned, I reserve the right to reinstate the petition .

I have consulted with the Government and understand that there is no objection to this request.

Respectfully,

Flora Edwards

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